

**TRANSPORTATION RULES
OF
GEORGIA PUBLIC SERVICE COMMISSION**

CHAPTER 1: ORGANIZATION

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1-1.1 Organization.

The domicile of the Georgia Public Service Commission is fixed by law at the Capitol. The General Offices of the Commission are located at 244 Washington Street, S.W., Atlanta, Georgia 30334 (See Note). Public hearings are generally held in the Commission's hearing room in its offices at the above address, although it is authorized to hold hearings in different parts of the State when it is deemed necessary to best serve the interest and convenience of the public. All evidence presented at public hearings is recorded by the official reporter of the Commission. The time and place of administrative sessions of the Commission are provided for by Commission Rule. All hearings and all administrative sessions are open to the public. Minutes of all decisions of the Commission are taken down by the Secretary of the Commission. A majority of the Commission is required to transact business or render official decisions. All records of the Commission are open to public inspection. The Commission's legal representative is the Attorney General of Georgia.

NOTE: While the Commission's General Offices at 244 Washington Street are under renovation, the temporary offices of the Commission are located at 47 Trinity Avenue, S.W., Atlanta, Georgia 30334.

1-1.2 Chairman.

(a) It shall be the duty of the Chairman to preside at all meetings of the Commission; to preserve strict order; to procure at all times the correct meaning and sense of the Commission; to conduct the business of the Commission when in Administrative Session subject to the direction of a majority of the Commission.

(b) The Chairman shall be the Chief Executive Officer of the Commission; shall conduct its correspondence; attend to the office of the Commission as required by law; see that all orders and rules of the Commission are duly carried into effect, and that all officers and employees perform their duties as required by said orders and rules as required by law.

(c) The Chairman is authorized to issue, at any time orders setting down causes or pending matters for a hearing; to issue in the name of the Commission process and notice to persons or corporations to be affected by proceedings before the Commission; to issue orders requiring the production of books, writings, and documents to be used upon hearings, investigations, or business before the Commission; to issue any and all such other orders of an

interlocutory character as may be necessary or proper for preparing and expediting hearings before the Commission. The provisions of this subsection do not limit the powers of the Commission or those of any Hearing Officer or any Representative of the Commission as provided by law.

(d) The Chairman will report to the Commission as to what has been done during intervals between meetings, and also any new matters or questions with his recommendations relating thereto, but reserving for action of the body all new matters and cases.

(e) The Chairman shall appoint four standing committees which shall be composed of three commissioners, one of which shall be the Chairman of the committee. Committee members may be reassigned during their appointed term upon the recommendation of the Commission Chairman and approval of the Commission. The standing committees shall be The Committee on Transportation Matters, The Committee on Communication Matters, The Committee on Energy Matters and the Committee on Policy Development and Intergovernmental Affairs.

1-1.3 Vice-Chairman.

There shall be a Vice-Chairman who shall be appointed by the Chairman to serve at his pleasure. The Vice-Chairman shall act in the absence or inability of the Chairman.

1-1.4 Executive Director.

Subject to the direction of the Commission, the Executive Director acts as Chief Staff Officer of the Georgia Public Service Commission with responsibility for direction and coordination of the activities of the Commission's staff in accordance with the policies established by the Commission for the regulation of those industries under its jurisdiction; directs all administrative support functions required for effective operation of Utilities and Transportation Divisions; and is in charge of all Commission personnel and preparation of the budget of the Commission.

(a) Assistant to the Executive Director. The Assistant to the Executive Director assists the Executive Director (PSC) in the direction and coordination of the staff of the Public Service Commission; supervises the Administrative Division; represents the Executive Director in liaison with Division Directors of the agency and with other agencies; assists the Executive Director in preparation of the Commission budget, and the supervision of Commission personnel.

1-1.5 Executive Secretary.

Subject to the direction of the Commission, the Executive Secretary acts as Secretary of the Commission with responsibility for recording all appearances at public hearings of the Commission; maintaining all books, files and records of the Commission; provides on-the-spot legal aide and counsel, maintaining all books, files and records of the Commission; prepares, or reviews and co-signs with Chairman all Commission orders and vouchers of the Commission; legal responsibility for recording all Commission decisions in the Official Book of Minutes; certifying to copies of Commission documents and records; handling administrative details of office management; including routing of Commission correspondence to proper department heads and individual Commissioners; receives and routes to all department heads applications, petitions and complaints for disposition as directed by the Chairman of the Commission; is responsible for maintaining mailing lists and publications of all matters assigned for public hearing before the Commission under direction of the Chairman or the Commission.

(a) There shall be an Assistant to the Executive Secretary of the Commission who shall act in the absence or inability of the Executive Secretary.

1-1.7 Official Reporter.

The Official Reporter and such assistants as may be appointed by the Commission shall record and keep a complete record of all proceedings and evidence of matters heard before the Commission in public hearings, and have transcribed copies thereof available for the Commission and parties of record when requested.

1-1.9 Fiscal and Budget Officer.

Subject to the direction of the Commission, the Fiscal and Budget Officer supervises the fiscal affairs of the Commission. He prepares the projection and supervises the preparation of budgets, payrolls and payroll reports to various other State agencies; performs the duties of records management officer and supervises and approves the purchase of materials and supplies for the agency.

1-1.11 Personnel Officer.

Subject to the direction of the Commission, the Personnel Officer supervises the personnel affairs of the Commission. These duties are performed in accordance with the laws and regulations of the State Merit System.

1-1.13 Administrative Hearing Officers.

The Administrative Hearing Officer(s) shall be authorized to conduct hearings and perform the following functions in conjunction therewith: administer oaths and affirmations, sign and issue subpoenas; rule upon offers of proof; regulate the course of the hearing, set the time and place for continued hearings, and fix the time for filing briefs; dispose of motions to dismiss for lack of agency jurisdiction over the subject matter or parties or for any other grounds; dispose of motions to amend or to intervene; provide for the taking of testimony by deposition or interrogatory; and reprimand or exclude from the hearing any person for any indecorous or improper conduct committed in the presence of the agency or the hearing officer. The final decision of the hearing officer may be appealed to the full Commission as set forth in §46-7-29.

1-2.1 Director, Utilities Financial Analysis.

Subject to direction of the Commission, the Director, Utilities Financial Analysis, directs the work of the Utilities Financial Analysis Division in the analysis of accounting, spending, and financing methods employed by regulated utility companies. Duties are performed under the administrative direction of the Executive Director.

1-2.3 Director, Utilities Engineering.

Subject to the direction of the Commission, the Director, Utilities Engineering, acts as chief officer of Utilities Engineering Division responsible for the planning, direction, and supervision of all Commission engineering functions related to the regulated utilities, including review and analyses of physical plants, depreciation schedules, energy distribution and public communication facilities, safety of natural gas distribution lines, operational boundaries of electric and telephone companies, and the handling of all consumer complaints related to

operations, services and rates of regulated utilities. The duties are performed under the administrative direction of the Executive Director.

1-3.1 Director, Transportation Division.

Subject to the direction of the Commission, the Director, Transportation Division, acts as chief officer of the Transportation Division responsible for the planning, direction and supervision of all Commission transportation functions, including furnishing the Commission expert information and advice on all matters brought before it involving motor carrier registration, safety, hazardous materials, rates and service matters, and to attend for those purposes hearings where such matters are involved; also responsible for enforcement of Commission's Rules and Regulations and Laws of Georgia relating to both for hire and private carriers. The duties are performed under the administrative direction of the Executive Director.

1-3.3 Transportation Enforcement Personnel.

Personnel of the Commission which have been designated, deputized and delegated police powers as provided for in O.C.G.A. §46-7-28 and §46-11-6 have the authority to:

(a) Stop and inspect all motor vehicles using the public highways for the purposes of determining if said vehicles are complying with the laws, rules, or regulations of the Commission or other laws regulating the use of the public highways by motor vehicles;

(b) Enter upon any property where motor vehicles subject to the Commission's jurisdiction are housed, kept or maintained for the purpose of inspecting or examining such vehicles in order to determine if such are complying with the laws of the state and rules or regulations of the Commission;

(c) Enter upon property where carrier records, including but not limited to, driver qualification and training documents, driver's licenses, records of duty status, hours of service records, inspection reports, shipping documents, leases, permits, vehicle registrations, insurance documents, and any supporting documents thereto, are kept or stored for the purpose of examining such documents to determine whether persons subject to the Commission's jurisdiction have complied and are complying with the laws of the state and rules or regulations of the Commission;

(d) Examine vehicles, including but not limited to, cargo and compartments where cargo or equipment and supplies may be carried, driver's compartments, sleeper berths, and baggage compartments;

(e) Examine documents normally carried on board such vehicles, including but not limited to, driver qualification and training documents, drivers' licenses, records of duty status, hours of service records, inspection reports, shipping documents, leases, permits, vehicle registrations, insurance documents, and any supporting documents thereto;

(f) Take other actions as necessary, and within the limits of applicable law, to carry out the duties of the Commission with respect to persons under its jurisdiction.